



House of Representatives

General Assembly

File No. 15

February Session, 2000

House Bill No. 5140

House of Representatives, March 7, 2000

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Concerning Possession Of A Shoplifting Device.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 (NEW) (a) A person is guilty of possession of a shoplifting device
- 2 when such person has in such person's possession any device,
- 3 instrument or other thing specifically designed or adapted to advance
- 4 or facilitate the offense of larceny by shoplifting, as defined in
- 5 subdivision (9) of section 53a-119 of the general statutes, by defeating
- 6 any antitheft or inventory control device, under circumstances
- 7 manifesting an intent to use, or knowledge that some person intends to
- 8 use, the same in the commission of larceny by shoplifting.
- 9 (b) Possession of a shoplifting device is a class A misdemeanor.

JUD Committee Vote: Yea 36 Nay 1 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Potential Cost, Potential Minimal Revenue Gain

Affected Agencies: Department of Correction, Various Criminal Justice Agencies

Municipal Impact: None

Explanation**State Impact:**

The bill could result in adjudication and criminal penalty costs related to potential violations of the bill's provisions. It could also result in revenue from criminal fines. The extent to which this may occur is unknown.

The larceny statutes, the penalties for violation of which are generally dependent on the value stolen, cover the crime of shoplifting. About 16% of all larceny offenses are shoplifting related. About 1,000 people are currently incarcerated for larceny. Of these, about 45 individuals are incarcerated for Larceny in the 4th degree, which carries the same penalty as the bill of up to one year in prison and up to a \$2,000 fine. The state collected \$221,931 from larceny-related fines in 1999.

OLR Bill Analysis

HB 5140

AN ACT CONCERNING POSSESSION OF A SHOPLIFTING DEVICE.**SUMMARY:**

This bill makes it a class A misdemeanor to possess a shoplifting device under circumstances showing an intent to use it or knowledge that someone else intends to use it to shoplift. A shoplifting device is any device, instrument, or other thing specifically designed or adapted to advance or facilitate shoplifting by defeating an anti-theft or inventory control device.

By law, shoplifting is intentionally possessing goods, wares, or merchandise offered for sale in a store or other mercantile establishment intending to keep them without paying for them. A class A misdemeanor is punishable by imprisonment for up to one year, a fine of up to \$2,000, or both.

EFFECTIVE DATE: October 1, 2000

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Report

Yea 36 Nay 1